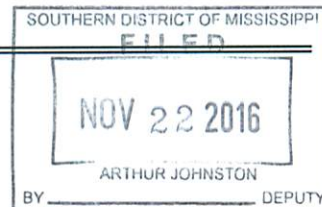


AO 91 (Rev. 08/09) Criminal Complaint



UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

United States of America)

v.)

Case No. 1:16mj601- RHW)

Carlos Anibal Gonzalez and)
Jandiel Omar Viera-Orellano)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 22, 2016 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section

21 U.S.C. § 841(a)(1)

Offense Description

Possession with Intent to Distribute a Controlled Substance, to wit, in excess of 10 kilograms of methamphetamine, a schedule II narcotic drug controlled substance.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

A handwritten signature in blue ink, appearing to read "R. Drace".

Complainant's signature

Robert Drace, Task Force Agent DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/22/2016

A handwritten signature in blue ink, appearing to read "Robert H. Walker".

Judge's signature

City and state: Gulfport, MS

Robert H. Walker, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Robert W. Drace, being first duly sworn, state as follows:

Introduction

Your Affiant, Robert W. Drace, is a Task Force Agent (TFA) with the Drug Enforcement Administration (DEA), United States Department of Justice. TFA Drace has been a sworn law enforcement officer with the Harrison County Sheriff's Department since February 2002. TFA Drace was deputized as a Task Force Agent in September 2013. TFA Drace is authorized to perform duties as provided by law and department regulations and as such participates in investigations enforcing Title 21, United States Code, Section 878, to enforce Title 21 and other criminal laws of the United States. He has received special training in the enforcement of laws concerning controlled substances as found in Title 21 of the United States Code. He has participated in and has conducted investigations which have resulted in the arrest and conviction of individuals who have smuggled, received, and distributed controlled substances, as well as the seizure of illegal drugs and proceeds derived from the sale of those illegal drugs. In addition, he has conducted, in connection with these and other cases, follow-up investigations concerning the concealment of narcotics-produced assets, money, bank records, etc., and the identification of co-conspirators through the use of ledgers, telephone bills and records, and photographs, as related to drug trafficking. He has been involved in various types of electronic surveillance, in the execution of search and arrest warrants, and in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, and of the laundering and concealing of proceeds from controlled substance trafficking.

Probable Cause Factual Basis

On November 22, 2016, at approximately 8:38 am, Harrison County Sheriff's Department Captain Bruce Carver conducted a traffic stop on a 2006 black Chrysler Pacifica bearing Georgia license plate REN7738 after the vehicle was observed speeding and following too closely to adjacent traffic on Interstate 10 West at the 29 Mile Marker in Gulfport, Mississippi. Captain Carver subsequently made contact with the driver, identified as Carlos Anibal GONZALEZ and a front seat passenger, Jandiel Omar VIERA-ORELLANA. Captain Carver asked for a driver's license where GONZALEZ produced a military identification card along with his license. While speaking to the occupants, Captain Carver smelled a strong odor of marijuana emitting from the vehicle and noticed that each occupant displayed a heightened level of nervousness for an interaction concerning a minor traffic violation. Captain Carver then learned through the occupants that they were traveling from Georgia and were headed to visit a relative in Texas in a loaned vehicle. A subsequent criminal history check also revealed that VIERA-ORELLANA had


previous arrest for narcotics violations. When questioned of the odor of marijuana, VIERA-ORELLANA admitted to previously smoking marijuana in the vehicle.

Based on his training and experience, Captain Carver suspected that criminal activity was afoot and asked VIERA-ORELLANA for consent to search of the vehicle as related that he was the one whom borrowed the vehicle from the registered owner. VIERA-ORELLANA then granted consent to search of the vehicle by signing a consent to search form. A search of the vehicle ensued revealing an unloaded Jennings Model Nine 9mm handgun bearing serial number 1497489 that was claimed by VIERA-ORELLANA. A more in-depth search of a natural void of the rear quarter panels of the Chrysler Pacifica yielded several pound size packages of suspected narcotics. Captain Carver removed one of the packaged which was opened revealing a crystal like substance consistent with methamphetamine. Due to the level of concealment of the suspected methamphetamine, the vehicle was relocated to the Harrison County Sheriff's Department Workcenter where the vehicle was dismantled revealing 20 pound sized packages of suspected methamphetamine that was wrapped in brown tape and plastic. The methamphetamine was field tested and yielded a presumptive positive reaction for the presence of methamphetamine.

Based on these findings, VIERA-ORELLANA and GONZALEZ were arrested and brought to the DEA Gulfport Resident Office for a further investigation. Subsequent to the investigation, the suspected methamphetamine was transported to the Gulfport Resident Office which had a weight in excess of 10 kilograms.

CONCLUSION

Based upon my experience as a DEA Task Force Agent and the facts listed above involving, it is my opinion that there is probable cause to believe that violations of Title 21, United States Code, Section 841(a)(1), possession with intent to distribute methamphetamine have been committed in the Southern District of Mississippi by Carlos Anibal GONZALEZ and Jandiel Omar VIERA-ORELLANA.


Robert W. Drace
Task Force Agent
Drug Enforcement Administration

Sworn and subscribed this 22nd day of November, 2016


United States Magistrate Judge